

*Attorneys for Defendant
Lightning Labs, Inc.*

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TARI LABS, LLC,	:	Case No.: 3:22-cv-07789-WHO
	:	
Plaintiff,	:	MOTION AND [PROPOSED]
	:	ORDER TO EXTEND
-against-	:	DEFENDANT’S TIME TO
	:	ANSWER OR OTHERWISE
LIGHTNING LABS, INC.,	:	RESPOND TO COMPLAINT
	:	PURSUANT TO CIVIL L.R. 6-3
Defendant.	:	
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Supported by the accompanying Declaration of Christopher S. Ford (the “Declaration”),
Lightning states that:

1. Tari Labs served Lightning with the Complaint on December 20, 2022.
2. On January 6, 2023, the parties jointly filed a stipulation pursuant to Civil Local Rule 6-2 extending Lightning's time to answer or otherwise respond to the Complaint by 14 days, until January 24, 2023, and requesting a 14-day extension of Tari Labs' deadline to respond to any non-answer response filed by Lightning (Dkt. 15). This Court granted the parties' stipulation on January 9, 2023 (Dkt. 16).
3. On the evening of January 18, 2023, Lightning engaged undersigned counsel to represent it in the above-captioned matter, with the intention of fully substituting counsel that had previously appeared for Lightning in this proceeding.
4. As set forth in the accompanying Declaration, undersigned counsel undertook efforts beginning on January 19, 2023, immediately after entering appearances in this case, to confer with Plaintiff's counsel appearing in this action by phone and email regarding a stipulation to extend Lightning's time to respond to the Complaint, but those attempts were unsuccessful. Plaintiff's counsel replied via email on the morning of January 20, declining to consent to an extension.
5. Given that undersigned counsel was engaged only six days before Lightning's deadline for responding to the Complaint, extending Lightning's time to respond by 14 days (for a total of 28 days from the original deadline) is necessary to provide undersigned counsel sufficient time to closely review the Complaint, confer with Lightning, and prepare an appropriate response. Absent the requested extension, Lightning would be prejudiced because it would have insufficient time to prepare an appropriate response.
6. The requested extension will have no other effect on the schedule for this case.
7. Lightning is unaware of any prejudice that Tari Labs would face as a result of a brief extension. Lightning publicly announced its TARO protocol in April 2022, and Tari Labs became aware of the TARO protocol at that time, yet Tari Labs did not file its Complaint until eight months later, in December 2022. In light of this delay, granting

1 Lightning an additional two weeks to respond to the Complaint is unlikely to prejudice
2 Tari Labs.

3 For the foregoing reasons, Lightning respectfully requests a 14-day extension of time to
4 answer or otherwise respond to the Complaint.

5 Respectfully submitted,

6 Dated: January 20, 2023

7 DEBEVOISE & PLIMPTON LLP

8 By: /s/ Christopher S. Ford

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18 *Attorneys for Defendant Lightning Labs, Inc.*

[PROPOSED] ORDER

Having reviewed the foregoing Motion, and finding good cause therefore, this Court hereby orders that the deadline for Defendant Lightning Labs, Inc. to answer or otherwise respond to the Complaint in the above-captioned action is extended by 14 days, to February 7, 2023.

SO ORDERED.

DATE: January ____, 2023

Hon. William H. Orrick
United States District Judge